THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.2083 of 2007

Between:

K.Adinarayana and another.

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PETITIONERS

and

The Station House officer,
Emmiganoor police station and others.

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RESPONDENTS

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ORDER:

Heard the learned counsel for the petitioner as well as

the learned Government Pleader for Home.

Both the petitioners, who have filed this writ petition, are present before this court.

It is stated that the 2nd petitioner was born on 17-09-1984 and the 1st petitioner was born on 01-07-1981. Both the petitioners belong to Chetnepally village, Guthi Mandal, Ananthapur District and they fell in love. It is stated that the 2nd petitioner is studying B.Ed., in Mother Theresa College of Education, Emmiganoor, Kurnool District. The 1st petitioner is a private employee. As against the wishes of the 2nd petitioner, her parents want to get her marriage performed with some other and, therefore, both the petitioners went to Mahaboobnagar and got married in a Temple on 25-01-2007 as per Hindu rites and customs. However, their marriage is not accepted by their parents.

It is further stated that the father of the 2nd petitioner gave a written complaint before the 1st respondent stating that 1st petitioner kidnapped the 2nd petitioner. Basing on the said complaint, a case has been registered in Cr.No.18 of 2007 of Emmiganoor Police Station for the offence under Section 366 read with 34 IPC.

It is further stated that as they have voluntarily married, the question of kidnapping or abducting the 2nd petitioner by the 1st petitioner does not arise.

Having regard to the facts and circumstances of the case, I am of the opinion that the facts may be enquired into

and the statements of the petitioners may be recorded by the concerned Station House Officer, Emmiganoor Police Station, Kurnool District, without arresting them, by giving necessary protection to them.

The writ petition is, accordingly, disposed of. There shall be no order as to costs.

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09-02-2007

Note:
Issue C.C. in three days
(B/o)
Prv

Having regard to the facts and circumstances of the case, the concerned Magistrate is directed to enquire into the matter and record the statements of the petitioners by giving necessary protection to them.

Accordingly, the writ petition is disposed of. There shall be no order as to costs.

09-02-2007

Note:
Issue C.C. in three days
(B/o)
Prv